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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/762,021	08/06/2001	Yongming Sun	DEX-0150	7327

26259 7590 08/15/2003

LICATLA & TYRRELL P.C.
66 E. MAIN STREET
MARLTON, NJ 08053

EXAMINER

UNGAR, SUSAN NMN

ART UNIT	PAPER NUMBER
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1642

DATE MAILED: 08/15/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1642

1. The Amendment filed June 10, 2003 (Paper No. 15) in response to the Office Action of March 10, 2003 (Paper no. 14) is acknowledged and has been entered. Previously pending claim 1 has been amended and claims 2-11 have been canceled. Claim 1 has been withdrawn from further consideration by the examiner under 37 CFR 1.142(b) as being drawn to a non-elected invention.
2. The claim as amended is directed to a method for diagnosing the presence of colon cancer in a patient comprising measuring levels of CSG polynucleotide comprising SE ID NO:1 which is a distinct method which differs at least in objectives, method steps, response variables, and criteria for success from the method originally presented and elected in the Application which is directed to a method for diagnosing the presence of colon cancer in a patient comprising measuring levels of CSG protein.
3. It is noted for Applicant's convenience that the currently amended claim is drawn to the subject matter of non-elected Group 4 which was previously withdrawn from consideration as being drawn to a non-elected group.
4. Since applicant has received an action on the merits for the originally presented and elected invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, amended claim 1 is withdrawn from consideration as being directed to a non-elected invention. See 37 C.F.R. § 1.142(b) and M.P.E.P. § 821.03.
5. The amendment filed June 10, 2003 amending the claim to an invention not originally elected is nonresponsive (see MPEP 821.03). The remaining claim is not readable on the originally presented and elected invention for the reasons set forth above. Applicant is given a ONE MONTH time limit or until the expiration of the

Art Unit: 1642

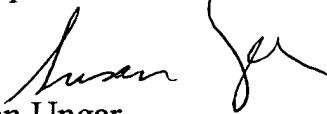
response period set in the last Office action, whichever is longer, to complete the response. NO EXTENSION OF THIS TIME LIMIT WILL BE GRANTED UNDER EITHER 37 CAR 1.136(a) OR (b) but the period for response set in the last office action may be extended up to a maximum of SIX MONTHS.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Ungar, PhD whose telephone number is (703) 305-2181. The examiner can normally be reached on Monday through Friday from 7:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Caputa, can be reached at (703) 308-3995. The fax phone number for this Art Unit is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Effective, February 7, 1998, the Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 1642.



Susan Ungar
Primary Patent Examiner
August 11, 2003